NOTIFICATION

(LAW DEPARTMENT).

No LAW 220 LCR 63, dated Bangalore, the 19th July 1963

Ordered that the accompanying Notification No G S R 854 dated the 14th May 1963, of the Ministry of Home Affairs, issuing the Defence of India (Sixth Amendment) Rules, 1963, which has been published in the *Gazette of India*, Extraordinary, Part II, Section 3, sub-section (1), dated the 15th May 1963, be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

T. VENKATANARANAPPA
Under Secy. to Govt, (I/c), L D

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GOVERNMENT OF INDIA.

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 14th May 1963.

G S R 854—In exercise of the powers conferred by section 3 of the Defence of India Act, 1962 (51 of 1962), the Central Government hereby makes the following rules further to amend the Defence of India Rules, 1962, namely —

1 These rules may be called the Defence of India (Sixth Amendment) Rules, 1963

2. In rule 47 of the Defence of India Rules, 1962,—

(a) for sub-rule (2), the following sub rules shall be substituted, namely —

"(2) Where, either before or after the coming into force of the Ordinance, an application has been made to the Controller for the grant of a patent or the registration of a design, the Controller, if he is satisfied that it is expedient for the defence of India and civil defence or the efficient conduct of military operations or the maintenance of supplies

and services essential to the life of the community so to do, may notwithstanding anything contained in the Indian Patents and Designs Act, 1911 (2 of 1911), at any time before the grant of the patent or the registration of the design, by order, prohibit or restrict

(i) the publication of information with respect to the subject-matter of the application, or

(ii) the communication of such information to particular person or classes of persons

(2A) Every order made by the Controller under sub-rule (2) shall be received by the Central Government and upon such review, that Government may direct the Controller to modify or cancel any such order and the Controller shall comply with such direction

(2B) Notwithstanding anything contained in the Indian Patents and Designs Act, 1911 (2 of 1911), on the cancellation or expiry, as the case may be of any order of prohibition or retriction made under sub-rule (2), the Controller may, subject to such conditions, if any, as he thinks fit, extend the time for doing anything required to be done by or under that Act in connection with the application, whether or not such time has previously expired "

(b) after sub-rule (3), the following sub-rule shall be inserted, namely —

"(3A) If, in the opinion of the Central Government it is necessary or expedient for the defence of India and civil defence or the efficient conduct of military operations or the maintenance of supplies and services essential to the life of the community so to do, the Central Government may, notwithstanding anything contained in the India Patents and Designs Act, 1911 (2 of 1911), direct the Controller, with respect to any applications for the grant of patents for inventions of such nature as may be specified in the direction, to abstain from doing, or delay the doing of, anything which he would otherwise be required to do in relation to such applications and the Controller shall comply with such direction ',

(c) in sub-rule (4), after the words "military operations", the words "or the maintenance of supplies and services essential to the life of the community" shall be inserted ,

(d) in the sub-rule (6), after the words "military operations", the words "or the maintenance of supplies and services essential to the life of the community' shall be inserted

[No F. 3/5/63-Poll (Spl)]

HARI SHARMA, *Additional Secy.*

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